

Application No. 09/913,448
Filed: August 14, 2001
TC Art Unit: 1774
Confirmation No.: 9630

REMARKS

Claims 4-6, 11-13 and 17 are pending in the application. The Examiner has rejected claims 6 and 11 and objected to claims 4, 5, 12, 13 and 17. Applicants have amended claims 4, 6, 11-13 and 17. The amendments have support within the specification such that new matter has not been presented herein. Applicants submit that claims 4-6, 11-13 and 17 should be pending after entry of the amendments above.

The above amendments to the claims should not be construed as acquiescence to the rejections by the Examiner and were provided solely to expedite the prosecution of the application. Applicants reserve the right to pursue the claims as originally filed in the present or a separate application(s).

Applicants respectfully request reconsideration and withdrawal of the rejections by the Examiner in view of the remarks herein.

Claim Rejections 35 U.S.C. § 112

The Examiner has rejected claims 6 and 11 under 35 U.S.C. § 112. Applicants have amended claims 6 and 11 herein such that the rejections by the Examiner under 35 U.S.C. § 112 have been overcome. Applicants also underscore that the term "cyclodextrin derivatives" can comprise inclusion complexes of cyclodextrins or cyclodextrin derivatives, or inclusion complexes formed from cyclodextrins or cyclodextrin derivatives, and any combinations thereof.

Claim Objections

The Examiner has objected to pending claims 4, 5, 12, 13 and 17. Applicants have amended claims 6 and 11 such that the objections of claims 4, 5, 12, 13 and 17 by the Examiner have been overcome.

-5-

WEINGARTEN, SCHURGT,
CAGNIBIN & LEROVICI LLP
TEL. (617) 542-2290
FAX. (617) 451-0313

Application No. 09/913,448

Filed: August 14, 2001

TC Art Unit: 1774

Confirmation No.: 9630

CONCLUSION


Based on the remarks herein, reconsideration and withdrawal of the rejections by the Examiner and allowance of the application with the pending claims are respectfully requested.

The Examiner is also encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

MAREK WELTOWSKI ET AL.

By:



Holliday C. Heine, Ph.D.

Registration No. 34,346

Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,

GAGNEBIN & LEBOVICI LLP

Ten Post Office Square

Boston, MA 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

HCH/raw

322547-1